

Beulah Public Schools

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District #27

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204 5th Street N.W.
Beulah, ND 58523-6543
Phone (701)873-2261
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wvolesky@sendit.nodak.edu

ADMINISTRATIVE STAFF

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Mark M. Wagner, Technology Coordinator
Arthur D. Schilke, Elementary Principal
Gail M. Wold, Middle School Principal
Rochel A. Wagner, Office Coordinator

October 5, 2001

Federal Communications Commission
Office of the Secretary
445 12th Street SW
Room TW-A325
Washington, DC 20554

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RE: Appeal of Schools and Libraries Funding Decision
Beulah School District 27
Form 471 Application Number 128716
Funding Year: 07/01/99 to 06/30/2000
Reference to: CC Docket Nos. 96-45 and 97-21

Person Knowledgeable of Appeal

Wilfred Volesky, 204 5th St. NW, Beulah, ND 58523
Telephone Number: 701-873-2261
Fax Number: 701-873-5273
E-Mail Address: Wilfred.Volesky@sendit.nodak.edu

On April 27, 2001 I received the Funding Commitment Decision Letter for funding year 2 from the Schools and Libraries Division. The letter indicated that they had denied the funding for application numbers 0000128716, 000483364 and 0000483365. The items connected with these numbers were all denied funding based on the same reason. The reason given was "A contract for a new service was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the SLD web site."

In that same letter the SLC indicated that they had posted our application on 02/04/1999, which meant that we could not sign a contract until after the 28 day waiting period, which was 03/04/1999. The SLC are basing their decision on Evidence Sheet One. This sheet is a bid document that we received from West River Telecommunications Cooperative. The February 23, 1999 date is the date that they created the bid sheet for us. You can see



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Letter of Appeal

Page 2

on the bottom of that same page that this bid sheet was faxed to us on February 26, 1999. These two dates do not reflect the date that we signed the bid document and entered into a contract with West River Telecommunications Cooperative.

Evidence Sheet Two is a letter from the vendor in question, West River Telecommunications Cooperative. The letter indicates that they received a signed bid sheet from us on March 8, 1999. This is four days after the end of the 28-day waiting period, which was March 4, 1999. Evidence Sheet Three shows the date, March 8, 1999 that was written on the contract by Rockne Bonsness, an employee of West River Telecommunications. This was the date that the contract was received by West River Telecommunications. (Note: West River Telecommunications is located in Hazen, ND which is located 10 miles east of Beulah. Any mail sent First Class would be received no later than two days after it was mailed.)

As we indicated earlier the justification by the SLC for denying the services requested is because we signed a contract during the 28-day waiting period. We believe that the three evidence sheets clearly show that we did not sign a contract with West River Telecommunications prior to the expiration of the 28-day waiting period.

With the evidence that we have provided we are hopeful that you will provide us with a favorable ruling thus allowing the Beulah School District 27 to receive their e-rate dollars.

Yours truly,



Wilfred Volesky

Contract No.: BPS 101

EVIDENCE SHEET ONE

West River Telecommunications Cooperative
July 1, 1999 thru June 30, 2000 E-Rate Bid SheetPrepared for: Baulah School District 27

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Non

Monthly Cost	Annual Cost	Recurring Charges
\$568.68	\$6,836.28	

These Services will be billed under SPIN NO. 143002752

X Local Telephone Service
(Per tariff)X Existing Analog Circuit
(High School to Middle School)

\$99.90 \$1,198.80

West River Long Distance

These Services will be billed under SPIN NO. 143004079

X Long Distance
\$.15/min

Estimate \$200.00 \$2,400.00

Whitford Olesky
Authorized Signature

02/26/99 17:07

TX/RX NO.5847

P.002



EVIDENCE SHEET TWO

West River Telecom

October 3, 2001

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Beulah Public Schools
District #27
Wilfred Volesky, Superintendent
204 5th Street N.W.
Beulah, ND 58523-6543

RE: Appeal of Funding Commitment Decision Letter of April 27, 2000
Beulah School District 27
Form 471 Application Number 128716
Funding Year: 07/01/99 - 06/30/2000
Billed Entity Number 134534

This is to verify that the information provided to the Beulah Public School District 27 for the subject mentioned funding year was completed on February 23, 1999 as indicated on our E-Rate bid sheet. It was forwarded to the school on February 26, 1999 by facsimile. Our records indicate that the signed original form was returned to our office on March 8, 1999.

Additionally, the services provided to the Beulah Public School are governed by West River Telecommunications Cooperative Local Exchange Tariff rates. The information provided on the E-Rate bid sheet was provided to assist the school in completing Form 471.

Sincerely,

A handwritten signature in cursive script that reads 'Rockne T. Bonsness'.

Rockne T. Bonsness
Marketing

EVIDENCE SHEET THREE

*Received
3/8/99
RB***West River Telecommunications Cooperative
July 1, 1999 thru June 30, 2000 E-Rate Bld Sheet****Prepared for: Boulay School District 27****Date: Feb. 23, 1999****These Services will be billed under SPIN NO. 143002752**

X **Local Telephone Service**
(Per tariff)

**Monthly
Cost**
\$568.68

**Annual
Cost**
\$6,836.28

**Non
Recurring
Charges**

X **Existing Analog Circuit**
(High School to Middle School)

\$99.90

\$1,198.80

West River Long Distance**These Services will be billed under SPIN NO. 143004079**

X **Long Distance**
\$.15/min

Estimate

\$200.00

\$2,400.00

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W. J. P. Plesky

Authorized Signature